

# **EXHIBIT A pt.2**

**ODOM & DES ROCHES, LLP**  
*A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS*  
**SUITE 2020, POYDRAS CENTER**  
**650 POYDRAS STREET**  
**NEW ORLEANS, LOUISIANA 70130**  
**TEL. (504) 522-0077**  
**FAX (504) 522-0078**

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**Firm Resume**

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Odom & Des Roches, LLP engages in multi-party litigation of complex civil matters throughout the United States. The firm's clients include local businesses, national and international companies, and private individuals.

The lawyers of Odom & Des Roches, LLP, have particular depth of experience in antitrust litigation, corporate litigation, financial transactions litigation, and pharmaceutical industry litigation. The firm maintains an active defense practice, and regularly represents an international accounting firm and other business interests. At the request of several nationally prominent law firms, the firm expanded its practice to represent plaintiffs in antitrust contingency fee class action and Multi-District Litigation matters, particularly in the pharmaceutical industry.

The firm has been actively involved in the following national antitrust class action and non-class action cases:

- *In re Buspirone Antitrust Litig.*, MDL Docket No. 1410, U.S.D.C., S.D.N.Y. (district court appointment to steering committee representing Sherman Act Class Plaintiffs) (district court approved settlement of \$220,000,000).
- *In re Cardizem CD Antitrust Litig.*, MDL Docket No. 1278, U.S.D.C., E.D.Mich. (district court appointment to discovery committee representing Sherman Act Class Plaintiffs) (district court approved settlement of \$110,000,000).
- *In re Relafen Antitrust Litig.*, Master File No. 01-12239, U.S.D.C., D.Mass. (district court approved settlement of \$175,000,000).
- *In re Brand Name Prescription Drugs Antitrust Litig.*, No. 94 C 897, U.S.D.C., E.D.N.Y. (representation of 3,800 non-class independent retail pharmacy operations)

(private settlements reached with many defendants).

- *In re Terazosin Hydrochloride Antitrust Litig.*, MDL Docket No. 1317, U.S.D.C., S.D. Fla. (counsel for Sherman Act Plaintiffs) (district court approved settlement of \$72,500,000).
- *In re Remeron Antitrust Litig.*, 03-CV-0085, U.S.D.C., D.N.J. (counsel for Sherman Act Plaintiffs)(district court approved settlement of \$75,000,000).
- *In re K-Dur Antitrust Litig.*, MDL Docket No. 1419, U.S.D.C., D.N.J. (district court appointment to executive committee representing Sherman Act Class Plaintiffs) (case pending).
- *In re Ciprofloxacin Hydrochloride Antitrust Litig.*, 00-MDL-1383, U.S.D.C., E.D.N.Y. (district court appointment to executive committee representing Sherman Act Class Plaintiffs) (case pending).
- *In re TriCor Direct Purchaser Antitrust Litig.*, Civil Action No. 05-340, U.S.D.C., D. Del. (case pending).
- *In re Northwest Airlines Corp., et al., Antitrust Litig.*, Master File No. 96-74711, U.S.D.C., E.D.Mich.
- *In re Oxycontin Antitrust Litig.*, Civil Action No. 1:04-CV-00229-SHS, U.S.D.C., S.D.N.Y. (case pending).
- *Louisiana Wholesale Drug Company, Inc. v. Biovail Corp. and Forest Laboratories, Inc.*, Civil Action No. 04-cov-2235 (JR), U.S.D.C., D.D.C. (case pending).
- *In re Hypodermic Direct Purchaser Antitrust Litig.*, Civil Action No. 05-1602 (JLL), U.S.D.C., D.N.J. (district court appointment to executive committee representing Sherman Act Class Plaintiffs) (case pending).
- *Texas Grain Storage, Inc. v. Monsanto Company*, Civil Action No. SA-07-CA-673-OG, U.S. D.C. W.D.Tex. (case pending).

The core of the firm's practice is its commitment and ability to try jury cases, and its lawyers structure their strategy from the outset of an engagement with an eye towards eventual appearance in the courtroom. It is the firm's philosophy and experience that being prepared for the rigors of trial maximizes the opportunities for the client to obtain favorable results. In addition to its active jury trial practice, the firm has extensive appellate experience, and its senior partner argued and won the unanimous reversal of a federal circuit court of appeals before the United States Supreme Court.

Odom & Des Roches, LLP, which is rated "AV" by Martindale-Hubbell, maintains offices in New Orleans, Louisiana and Hahira, Georgia. The firm is listed in Martindale-Hubbell's "Bar Register of Preeminent Lawyers".

### **PARTNERS**

**John Gregory Odom, PLC.** Mr. Odom was born in Hahira, Lowndes County, Georgia on November 29, 1951, and was admitted to the bar of the State of Georgia in 1978, the District of Columbia in 1982, and the State of Louisiana in 1983. He is also admitted to the bars of numerous United States District Courts and Courts of Appeals throughout the country, as well as the United States Supreme Court. He practiced with a leading Savannah firm for several years, and was a business litigation partner in the second-largest firm in Louisiana for seven years before leaving to form his own firm in 1990.

Mr. Odom was educated at Yale University (B.A., cum laude, 1973); The Queen's College, Oxford University (B.A. (hons.), 1975; M.A., 1981); and the University of Virginia School of Law (J.D., 1978). He is the author of "Recent Developments in Litigation Under the Racketeer Influenced and Corrupt Organizations Act and Federal Securities Law," Manual of Recent Developments in the Law, Louisiana State Bar Association, 1987-1990, and "Creative Applications of Civil RICO," 11 Am. J. Trial Adv. 245, Fall, 1987. His regular areas of practice include corporate litigation; healthcare industry litigation; securities litigation; RICO litigation; professional liability litigation; class action litigation; and antitrust litigation.

**Stuart E. Des Roches.** Mr. Des Roches was born in New Orleans, Louisiana on August 12, 1966, and was admitted to the bar for the State of Louisiana in 1992. He has practiced continuously with Mr. Odom since 1992 and was made a partner in the firm in 1998. He is admitted to practice in numerous United States District Courts and Courts of Appeals throughout the country, as well as the United States Supreme Court. Mr. Des Roches was educated at University of New Orleans (B.A., 1989), and Tulane University Law School (J.D., 1992), and is a member of the New Orleans, Louisiana, and American Bar Associations. He has routinely practiced antitrust law in the pharmaceutical sector for the past fourteen years. His other regular areas of practice include general business litigation and accountant's liability defense litigation.

**Andrew W. Kelly.** Mr. Kelly was born in Bellefont, Pennsylvania on December 6, 1966, and was admitted to the bar for the States of California and Louisiana in 1994. He is admitted to practice in the United States District Courts for the Eastern, Middle, and Western Districts of Louisiana, and the Southern District of California; and the United States Court of Appeals for the Fifth Circuit. Mr. Kelly was educated at the University of California at Berkeley (B.A., 1988), and the University of San Diego School of Law (J.D., 1994). He served as law clerk to the Honorable John Minor Wisdom, of the United States Court of Appeals for the Fifth Circuit. His regular areas of practice include business litigation; class action litigation; and antitrust litigation. He is also available for counseling on criminal defense matters.

**Charles F. Zimmer II.** Mr. Zimmer was born in New Iberia, Louisiana, on October 29, 1973. He was educated at Louisiana State University (B.S., 1996), and Tulane University School of Law (J.D., 1999). Mr. Zimmer studied business and accounting in college, and has passed all parts of the Uniform Certified Public Accounting Examination. He is a member of the Louisiana bar and the bars of the United States Supreme Court and the United States District Court for the Eastern, Middle, and Western Districts of Louisiana. Mr. Zimmer joined the firm upon graduation from law school, and actively participates in all phases of the firm's litigation practice, particularly in accounting liability defense matters and class action antitrust matters involving the pharmaceutical industry.

### ASSOCIATES

**John Alden Meade.** Mr. Meade was born in New Orleans, Louisiana on November 5, 1975. He was educated at Stanford University (B.A. 1998), and Tulane University (J.D. 2005) where he graduated magna cum laude, and was a member of the Order of the Coif. Mr. Meade joined the firm upon graduation from law school and is a member of the Louisiana bar, actively participating in the firm's antitrust litigation practice. He is admitted to practice in the several courts of Louisiana, as well as the Eastern, Middle, and Western Districts of Louisiana, and the Fifth circuit Court of Appeals.

**John E. Fitzpatrick, III.** Mr. Fitzpatrick was born in New Orleans, Louisiana on May 9, 1968. He earned a J.D. from Loyola University School of Law in 2006, and received a Bachelor of Arts degree from Loyola University in 2001. Mr. Fitzpatrick is admitted to practice before the Louisiana Supreme Court and the several courts of the State of Louisiana. He is also admitted to practice in the Eastern, Middle, and Western Districts of the United States District Courts, and the Fifth Circuit Court of Appeals. He actively participates in the firm's antitrust litigation practice.

**OF COUNSEL**

**Randall S. Acree.** Mr. Acree was born in Augusta, Georgia on August 4, 1959, and was admitted to the bar for the State of Georgia in 1987. He is admitted to practice in the United States District Courts for the Northern and Southern Districts of Georgia. Mr. Acree was educated at Valdosta State College (B.A., 1981); did graduate work at the University of Georgia; and received his legal education at Mercer University (J.D., 1986), and Georgetown University (L.L.M. in Securities, 1987). Mr. Acree has extensive hospital industry experience, and his regular areas of practice include healthcare industry litigation; business tort litigation; securities litigation; class action litigation; and antitrust litigation.

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**THE SMITH FOOTE LAW FIRM, LLP**  
INCLUDING A PROFESSIONAL LAW CORPORATION  
720 MURRAY STREET  
POST OFFICE BOX 1632  
ALEXANDRIA, LOUISIANA 71309-1632

TELEPHONE: 318-445-4480

FACSIMILE: 318-487-1741

**January 2008**

David P. Smith, A Professional Law Corporation ("APLC"), a partner of The Smith Foote Law Firm, LLP, engages in complex multi-party civil litigation. Mr. Smith has experience in healthcare litigation, financial transactions litigation, antitrust litigation, business tort litigation and frequently represents parties in significant class action and Multi-District Litigation matters.

The Smith Foote Law Firm, LLP, maintains an office in Alexandria, Louisiana, including a support staff consisting of fourteen individuals, including associate attorneys, legal assistants and administrative staff. The clients of the firm include local businesses, national and international companies, and private individuals.

**PARTNERS OF THE FIRM**

**DAVID P. SMITH, APLC**, born Lecompte, Louisiana, January 28, 1942; admitted to bar, 1968, Tennessee; 1971, Louisiana; U.S. Court of Military Appeals and U.S. Tax Court; 1974, U.S. Supreme Court. Education: Louisiana State University and A. and M. College (B.A., 1964); University of Tennessee at Knoxville (J.D., 1967). Capt., JAGC, USMCR, 1968-1971. Tax Attorney, Office of the Chief Counsel, Internal Revenue Service, 1971-1976. Member: Louisiana State and American Bar Associations. Committees: Louisiana Bar Association Committees, including past and current service on the Multi-Jurisdictional Practice Committee. Areas of Practice: diverse State and Federal litigation, including complex multi-party litigation such as *In Re: Brand Name Prescription Drugs Antitrust Litigation*, MDL 996 (N.D. Ill.); complex and diverse class actions such as *Northwest Airlines, Inc., et al., Antitrust Litigation* (E.D. MI); *Cardizem Antitrust Litigation*, MDL 1278 (S.D. MI); *Hytrin Antitrust Litigation*, MDL 1317 (S.D. FL); *Cipro Antitrust Litigation*, MDL 1382 (E.D. NY); *Buspirone Antitrust Litigation*, MDL 1410 (D.D.C); *K-Dur Antitrust Litigation*, MDL 1419 (Dist. of N.J.); *Relafen Antitrust Litigation*; *Neurontin Antitrust Litigation*, MDL 1479; *Remeron Antitrust Litigation*; *Independent Drug Co. v. Biovail Corporation, et al (Adalat CC Antitrust Litigation)* (D.C. Cir.); *Louisiana Wholesale Drug Company, Inc. v. Purdue Pharma, et al (OxyContin Antitrust Litigation)* (S.D. N.Y.); *Louisiana Wholesale Drug Company, Inc. et al. v. Biovail Corporation et al (Tiazac Antitrust Litigation)* (D.C. Cir.); *Louisiana Wholesale Drug Company, Inc. v. Abbott Laboratories, et al (TriCor Antitrust Litigation)* (Dist. of Delaware); *Louisiana Wholesale Drug Company, Inc. et al v. Becton Dickinson & Company (Hypodermic Products Antitrust Litigation)* (Dist. of N.J.); and *Louisiana Wholesale Drug Company, Inc. v. Ferring B.V., et al (DDAVP Antitrust Litigation)* (S.D. N.Y.); *Natchitoches Parish Hospital Service District v. Tyco International, LTD, et al (Pulse Oximeter Antitrust Litigation)* (C.D. Ca.); *Natchitoches Parish Hospital Service District v. Tyco International, LTD, et al (Sharps Containers Antitrust Litigation)* (Dist. of Mass.); *Louisiana Wholesale Drug Company, Inc. v. Warner Chilcott Limited Company, et al (Ovcon 35 Antitrust Litigation)* (Dist. of Columbia); *King Drug Company of Florence, Inc. v. Cephalon, Inc., et al (Modafinil Antitrust Litigation)*; *William Rosenstein & Sons, et al v. Eastern Mushroom Marketing Cooperative, Inc., et al (Mushrooms*



*Antitrust Litigation*); *Wade Farms, et al v. Monsanto Company*; *Louisiana Wholesale Drug Company, Inc. v. Aztrazeneca Pharmaceuticals, L.P., et al (Nexium Antitrust Litigation)*; and *Louisiana Wholesale Drug Company, Inc. v. Braintree Laboratories, Inc. (Miralax Antitrust Litigation)*, as well as commercial and business torts.

E-mail: [dpsmith@smithfoote.com](mailto:dpsmith@smithfoote.com).

**ELIZABETH ERNY FOOTE**, born Lafayette, Louisiana, January 21, 1953; admitted to bar, 1978, Louisiana. Education: Louisiana State University (B.A., with college honors, 1974; J.D., 1978); Duke University (M.A., 1975). Omicron Delta Kappa. President, Mortar Board, 1973-1974. Treasurer 1994-1996; Board of Governors, 2000-2003; President-Elect 2007-2008, Louisiana State Bar Association. Recipient of 1994 President's Award, Louisiana State Bar Association. Member: Alexandria Bar Association; Louisiana State Bar Association; Louisiana Trial Lawyers Association; Louisiana Association of Defense Counsel. Publications: Louisiana Bar Journal, Vol. 39, No. 1, June 1991, "A Woman's View of Law Practice in the Next Century"; Frequent CLE Lecturer. Areas of Practice: Insurance defense, medical malpractice defense, commercial law, and general business. E-mail: [efoote@smithfoote.com](mailto:efoote@smithfoote.com).

**WILLIAM ROSS FOOTE**, born Alexandria, Louisiana, October 1, 1952; admitted to bar, 1978, Louisiana. Education: University of Manchester, England (spent one year as an Independent Scholar in Philosophy, 1972-73); Duke University (B.A., 1974); Louisiana State University (J.D.1978). Omicron Delta Kappa Honorary Society. Editor, *L'Avocat* (LSU Law Center Yearbook). Member: Alexandria Bar Association; Louisiana State Bar Association. Partner, Ledbetter, Percy & Stubbs until forming own firm, Sooter & Foote in 1983. Partner, Sooter & Foote (1983-1991); firm engaged in commercial and medical malpractice litigation. District Judge, Ninth Judicial District for the State of Louisiana (1991-2004); during tenure on the bench, handled complex cases involving class action litigation, both granting and denying class certification under Louisiana's statutes (modeled on Federal rules), with one case being tried to judgment in a bench trial setting. Creator of the International Collaborative Center (devoted to expanding the international use of the collaborative process in family/domestic cases); consulting includes several states, Canadian provinces and meetings with the Lord Justice Thorpe and Lady Hale of the House of Lords in London (2004-present); practice currently limited to antitrust litigation, collaborative practice teaching and development, ad hoc judicial appointments and serving the judiciary as an appointed Special Master in complex cases and new judge training. Other activities include: adjunct faculty of the National Judicial College in Reno, Nevada; created and chaired the Louisiana Mentoring Program and the Louisiana Judicial Retreat Program; 10 years on the Executive Committee of the Louisiana District Judges Association; Advisory Committee for Technology for the National Center for State Courts; assistance teaching at Bolton High School (received the Louisiana Distinguished Partner in Education in 2004); extensive jury research with post-trial questionnaires and is published on jury issues; consultant to the California District Attorney Association; frequent lecturer for the Louisiana Judicial College and the Louisiana State Bar Association. E-mail: [rfoote@smithfoote.com](mailto:rfoote@smithfoote.com).



### SPECIAL COUNSEL TO THE FIRM

**BETTY R. OWENS**, born Texas City, Texas, December 21, 1951; admitted to bar, 1988, Texas. Education: Louisiana State University (B.S., 1973; M.A., 1975); University of Texas (J.D., with high honors, 1988). Mortar Board. Who's Who. Omicron Delta Kappa. Vice Chancellor, Texas Law Review (Book Review Editor). Order of the Coif. Phi Kappa Phi. Member: American Law Institute; American Bar Association; State Bar of Texas; Houston Bar Association; Professional Development Consortium; Texas Supreme Court Gender Fairness Reform Implementation Committee. Fellow: Texas Bar Foundation; Houston Bar Foundation. Committees: Houston Bar Association Member Benefits Task Force, Chairman, 1999; American Bar Association, Antitrust Section, Books and Treatises Committee, Vice-chairman, 2000-2001; American Bar Association, Antitrust Section, Civil Practice and Procedure Committee, Vice-chairman, 1994-1998. Publications: Antitrust Summary Judgment Newsletter, Editor, 1996-1998; Antitrust Law Developments (4<sup>th</sup> ed.), Contributor; Annual Review of Antitrust Law Developments, Contributor, 1992-1995; Frequent lecturer for various programs on civil rights/reverse discrimination issues and appellate advocacy. Special Recognition: The University of Texas School of Law Faculty Service Award Recipient, 2001; Who's Who in American Law, 2000-present; Who's Who in American Women, 2001-present. Areas of Practice: Commercial Litigation, Antitrust Law, Appellate Law. Representative cases include *Hopwood v. Texas*, which challenged The University of Texas School of Law's affirmative action programs; cases involving lender liability, trust management, and director and office liability issues such as *FDIC v. Capitol Bank Directors* and *Municipal Employees Pension System v. First City Bank*; cases tried in Harris and Milam Counties, Texas, including *Shexnayder v. Terry Oilfield Supply Company*; cases tried in the Eastern and Western Districts of Texas including *Hopwood and Energy Transportation Systems, Inc. v. Santa Fe Railroad*. E-mail: [bettyrowens@sbcglobal.net](mailto:bettyrowens@sbcglobal.net).

### SENIOR ASSOCIATES OF THE FIRM

**SUSAN C. SEGURA**, born Loreauville, Louisiana, March 5, 1965; admitted to bar, 1993, Louisiana; also admitted to practice before U.S. Court of Appeals Fifth Circuit, U.S. District Court, Eastern and Western Districts of Louisiana. Education: University of Southwestern Louisiana (B.S., Summa Cum laude, 1987), Louisiana State University (J.D., 1993). Member: Appellate Advocacy Board; Chancellor's List, Spring and Fall, 1992; Recipient, American Jurisprudence Award; Administrative Law, 1992, Federal Courts 1992, Criminal Procedure, 1993; Alexandria, Louisiana State and American Bar Associations; Louisiana Association of Defense Counsel. E-mail: [ssegura@smithfoote.com](mailto:ssegura@smithfoote.com).

**DAVID C. RAPHAEL, JR.**, born New Orleans, Louisiana, April 22, 1968; admitted to bar, 1994, Louisiana; also admitted to practice U.S. District Court, Eastern District of Louisiana and U.S. District Court, Western District of Louisiana. Education: Louisiana State University (B.S., 1989, J.D., 1993). Member: Alexandria, Louisiana and American Bar Associations. Areas of Practice: Diverse state and federal litigation, including complex multi-party litigation; business transactions; start-up/emerging business planning including formation, internal governance, and shareholders' rights; and labor and employment law. E-mail: [draphael@smithfoote.com](mailto:draphael@smithfoote.com).

### ASSOCIATES OF THE FIRM

**ERIN R. LEGER**, born Lake Charles, Louisiana, February 08, 1981; admitted to bar, 2006, Louisiana. Education: Louisiana State University (B.S., 2003; J.D., 2006). Areas of Practice: Diverse state and federal litigation, including complex multi-party litigation; complex and diverse class actions; as well as commercial and business torts. E-mail: [eleger@smithfoote.com](mailto:eleger@smithfoote.com).

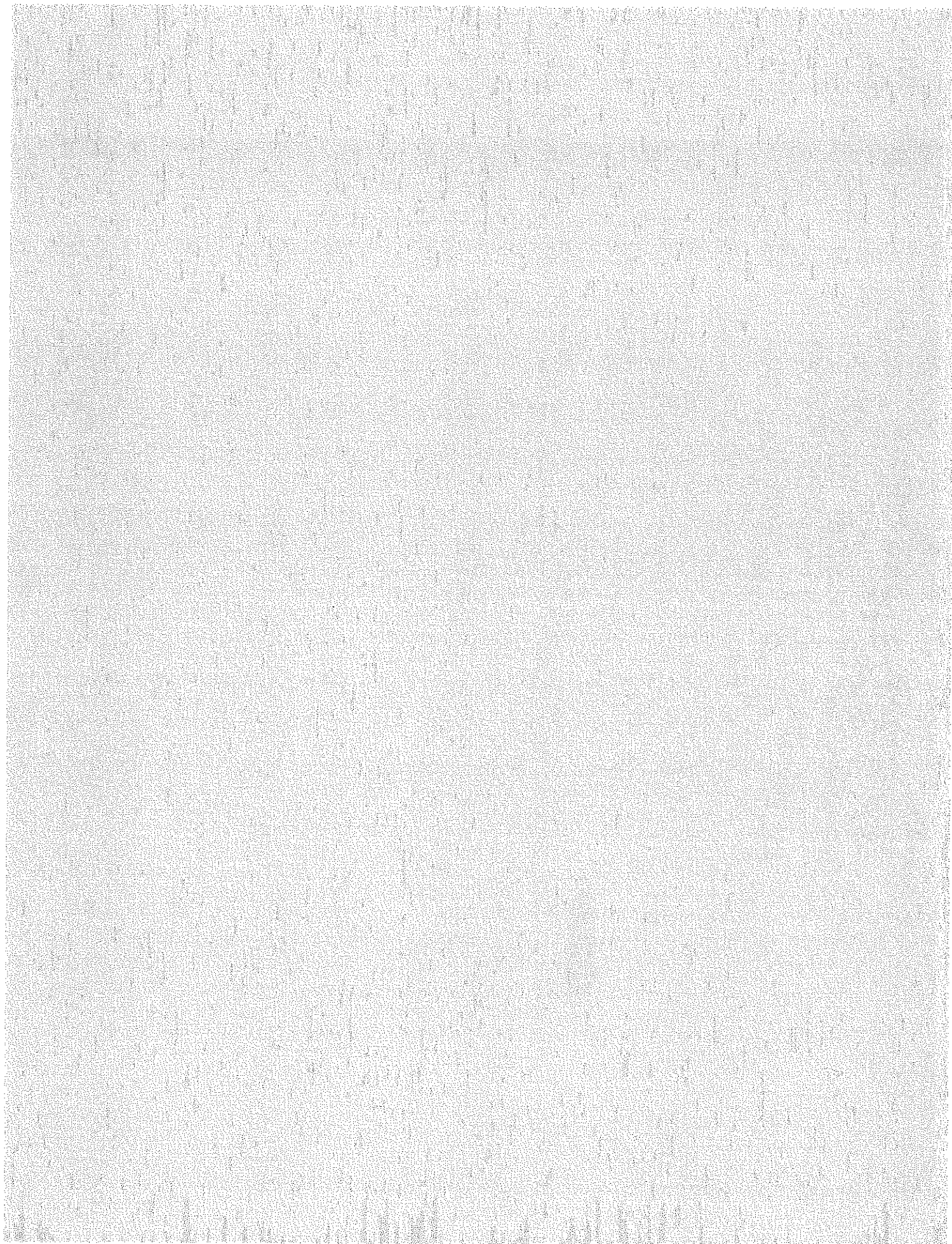
**ADAIR SMITH-LUPO MONROE WILLIAMS**, born New Orleans, Louisiana, May 17, 1982; admitted to bar, 2007, Louisiana. Education: Tulane University's Newcomb College (B.S., 2004); attended The University of the South (Sewanee) where she was a National Merit Scholar and a Chancellor's Scholar; Louisiana State University (J.D., 2007). Areas of Practice: Diverse state and federal litigation, including anti-trust class action litigation focusing on the pharmaceutical, medical devices, and technology industries. E-mail: [awilliams@smithfoote.com](mailto:awilliams@smithfoote.com)

### LEGAL ASSISTANTS

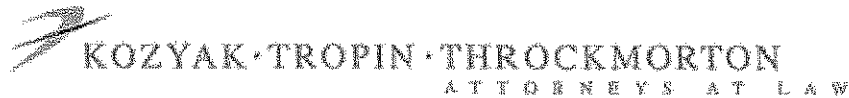
**ARUNA A. PATEL**, born San Fernando, Trinidad & Tobago, April 24, 1982. Education: Louisiana College (B.A., Business Administration with concentration in Finance & Economics, 2004). Legal experience includes areas of complex commercial litigation and class action antitrust litigation. Email: [apatel@smithfoote.com](mailto:apatel@smithfoote.com).

**MARK L. WINDHAM**, born Natchez, Mississippi, January 31, 1972. Education: Louisiana Tech University (B.S., Business Administration, 1997); Louisiana Tech University and University of Louisiana at Lafayette (Graduate Studies in Business Administration). Notary Public for the State of Louisiana. Twelve years experience in the legal field with an emphasis in the areas of complex commercial litigation, class action antitrust litigation, contracts, and estate planning/successions. E-mail: [mwindham@smithfoote.com](mailto:mwindham@smithfoote.com).

**MARSHALL A. WRIGHT**, born Oklahoma City, Oklahoma, September 24, 1965. Education: Cameron University (B.A., Liberal Arts, 1990). Sixteen years of experience in the legal field with an emphasis in the areas of medical malpractice, tort, mass tort, domestic, estate/succession and criminal. Experience in Oklahoma, Mississippi and Louisiana. Admitted to the Association of Trial Lawyers of America as a Paralegal Affiliate in January, 2004; member, Louisiana State Paralegal Association. E-mail: [mwright@smithfoote.com](mailto:mwright@smithfoote.com).







**Founding Shareholders:** John W. Kozyak  
Charles W. Throckmorton  
Harley S. Tropin  
**Managing Shareholder:** Thomas A. Tucker Ronzetti  
**Number of Shareholders:** 13  
**Number of Other Attorneys:** 7

**HEAD OFFICE**

**FLORIDA**  
2525 Ponce de Leon, 9th Floor, Miami, FL 33134  
Tel: 305 372 1800 Fax: 305 372 3508  
Website: [www.kttlaw.com](http://www.kttlaw.com)

**CONTACTS**

**Litigation:** Harley S. Tropin ([hst@kttlaw.com](mailto:hst@kttlaw.com))

**Bankruptcy:** John W. Kozyak ([jwk@kttlaw.com](mailto:jwk@kttlaw.com))  
Charles W. Throckmorton ([cwt@kttlaw.com](mailto:cwt@kttlaw.com))

**Class Action:** Adam M. Moskowitz ([amm@kttlaw.com](mailto:amm@kttlaw.com))  
Tucker Ronzetti ([tr@kttlaw.com](mailto:tr@kttlaw.com))

**ADR:** Charles W. Throckmorton ([cwt@kttlaw.com](mailto:cwt@kttlaw.com))

**Health Care:** Kenneth R. Hartmann ([krh@kttlaw.com](mailto:krh@kttlaw.com))  
Harley S. Tropin ([hst@kttlaw.com](mailto:hst@kttlaw.com))

**International Arbitration:** David P. Milian ([dpm@kttlaw.com](mailto:dpm@kttlaw.com))

**Intellectual Property:** Kenneth R. Hartmann ([krh@kttlaw.com](mailto:krh@kttlaw.com))  
Gail A. McQuilkin ([gam@kttlaw.com](mailto:gam@kttlaw.com))

**FIRM OVERVIEW:**

For more than two decades, Kozyak Tropin & Throckmorton has focused on two specific areas of the law: high stakes complex litigation and business bankruptcies. The firm and its attorneys consistently rank among the most highly regarded in these practice areas, and their dedication has earned national recognition – from clients, judges, opponents, and professional journals – for effectiveness in and out of the courtroom. Every case receives individual attention, with a focus on one thing: moving the client's interests forward.

#### **MAIN AREAS OF PRACTICE:**

**Class Actions:** Kozyak Tropin & Throckmorton both defends and prosecutes complex class litigation. Kozyak Tropin & Throckmorton represents individuals and businesses in significant class actions involving fraud, breach of contract, misrepresentation, and other causes of action. The firm serves as lead or co-lead counsel in many major high-profile class action cases including *In Re: Humana, Inc.*, and *In Re: US Oil & Gas*. The firm has widespread recognition for its successful role representing medical associations and physicians in the largest class-action lawsuit on record against managed-care companies. Shareholders Adam Moskowitz and Tucker Ronzetti are experienced class action litigators and have leading roles in several nationwide antitrust and class actions. Shareholders Harley Tropin, David Milian, and David Buckner are experienced securities class action trial lawyers and have litigated several nationwide cases.

**Complex Litigation:** Harley Tropin chairs the litigation department, which concentrates on complex contract, business and individual tort, securities fraud, and intellectual property. Kozyak Tropin & Throckmorton serves as trial counsel for individuals, corporations, banks, and entrepreneurs. Kozyak Tropin & Throckmorton has had lead roles in many significant securities cases in the Southern District of Florida over the last twenty years. The firm's trial lawyers have a reputation for tenacity and efficiency in representing both plaintiffs and defendants in significant litigation matters.

**Commercial Bankruptcy:** Kozyak Tropin & Throckmorton represents debtors, secured and unsecured creditors, statutory and liquidating trustees, creditors' committees, equity holders, and asset purchasers in bankruptcies of businesses and high-net-worth individuals. The firm represents some of the nation's largest companies and lending institutions when they are involved in bankruptcy, restructurings and workouts in Florida and elsewhere. The firm's lawyers are frequently called upon to serve as trustees or receivers of troubled companies, and also regularly prosecute and defend litigation arising out of corporate insolvencies. John Kozyak, who, together with Charles Throckmorton, leads the firm's bankruptcy practice, has the unique distinction of being a Fellow of both the American College of Bankruptcy and American College of Trial Lawyers.

**Alternative Dispute Resolution:** Led by partners Charles Throckmorton and Gail McQuilkin, Kozyak Tropin & Throckmorton's attorneys serve as mediators and arbitrators in commercial litigation matters, intellectual property disputes, and bankruptcy cases and adversary proceedings, and successfully assist litigants in achieving out-of-court resolutions of complex disputes.

**Health Care:** The firm represents medical service providers, including hospital groups and large physician groups, in litigation and arbitration matters involving reimbursement and antitrust disputes with health insurers. Partner Ken Hartmann has obtained multi-million dollar arbitration awards against HMOs, and negotiated eight figure settlements on behalf of provider clients.

**Intellectual Property:** Since its inception, Kozyak Tropin & Throckmorton has represented litigants in trademark, copyright, patent and related licensing disputes, as well as trade secret and unfair competition cases. The firm's practice has evolved to encompass Internet property rights and domain name disputes before federal courts and ICAAN arbitration panels.

#### **INTERNATIONAL WORK:**

With its office located in Miami, Florida, the gateway to Latin America, Kozyak Tropin & Throckmorton represents a number of Central and South American clients. The firm also serves as co-lead counsel in several class action lawsuits brought in the U.S. on behalf of Latin American citizens. Additionally, Kozyak Tropin & Throckmorton attorneys have handled intellectual property matters for multinational corporations such as Dole, Novartis, Sony Computer Entertainment America, Inc. and Swiss Watch International. Kozyak Tropin & Throckmorton represents 5000 Latin American investors in a securities fraud action against Pension Fund of America.

#### **CLIENTS:**

Kozyak Tropin & Throckmorton's clients include public and private companies of all sizes including many Fortune 500 companies, as well as governmental entities, not-for-profit organizations, and individuals. Examples include: American Cyanamid Company; Banc of America Commercial Finance Corp.; Baptist Healthcare of South Florida, Inc.; Blackrock Financial Management, Inc.; Canadian Imperial Bank of Commerce; The CIT Group/Equipment Financing; Credit Suisse First Boston; Dole Food Company; Dole Fresh Flowers; Ecolab; Fidelity Management Trust Company; Florida International University; General Growth Properties; Greenwich Capital Markets; Harch Capital Management; Heeling Sports, Ltd.; Interval International; LNR Partners; Northern Trust Bank; Terranova; Marriott International; Mellon United National Bank; Miami-Dade County (Florida); Miami Dolphins, Ltd.; Novartis Animal Health, US; Pediatrix, Inc.; The Ritz-Carlton Hotel Company; Seminole Tribe of Florida; Sheridan Healthcare, Inc.; Sony Computer Entertainment of America, Inc; Siemens Dematic Corporation; Swiss Watch International; Total Bank; and University of Miami.



## Adam M. Moskowitz



**ADAM M. MOSKOWITZ**  
2525 Ponce de Leon, 9<sup>th</sup> Floor  
Miami, FL 33134  
(305) 377-0652 office  
(305) 372-3508 fax  
[amm@kttlaw.com](mailto:amm@kttlaw.com)

Adam M. Moskowitz is a shareholder in Kozyak Tropin & Throckmorton and a member of the firm's litigation department. He concentrates his practice primarily on class action matters.

A recognized plaintiffs' expert in class actions, Mr. Moskowitz is involved in all of the firm's class actions as either lead or co-lead counsel. He is experienced in all forms of class action claims, including RICO, antitrust, deceptive and unfair trade practices, and breach of contracts. He frequently leads KT&T's participation in multi-state class action litigation that involves teams of class action firms from around the nation, an example of which is the recent \$75 million class settlement with American Express.

Mr. Moskowitz's practice also encompasses plaintiffs products liability and complex commercial litigation matters, and in these practice areas, he has obtained recent jury verdicts for clients of \$90 million and \$35 million. He has also specialized in securities fraud and related matters, and served as Chairperson on numerous NASD securities arbitration panels.

An adjunct professor in class action litigation at the University of Miami School of Law, Mr. Moskowitz has also participated in local and national seminars and panels on class action litigation and has published numerous articles on the subject.

He earned his J.D. Degree, *cum laude*, in 1993 from the University of Miami School of Law where he was Managing Editor and Assistant Articles and Comments Editor of the *University of Miami Law Review*, and received numerous awards including the Dean's Merit Scholarship, the Hanna D. Mott National Scholarship, and various Jurisprudence Book awards. Mr. Moskowitz earned his Bachelor's Degree in 1989 from Syracuse University.

### KEY PRACTICE AREAS

- Class Actions
- Plaintiff's Commercial Litigation
- Products Liability Litigation
- RICO
- Antitrust
- Securities Fraud
- Securities Arbitration

### EDUCATION

- B.A., Political Science, George Washington University
- J.D. Degree, *cum laude*, University of Miami School of Law
- President of the Wig & Robe Society (an honorary legal society)
- Articles and Comments Editor of the *University of Miami Law Review*
- Member, Iron Arrow

### ASSOCIATIONS AND ACTIVITIES

- Florida Bar, 1993
- United States District Court, Southern District of Florida
- United States Court of Appeals, 11th Circuit
- Miami-Dade County Bar Association
- Florida Bar Association
- American Bar Association
- Florida Trial Lawyers Association
- American Trial Lawyers Association

## Tucker Ronzetti



**Tucker Ronzetti**  
2525 Ponce de Leon, 9<sup>th</sup> Floor  
Miami, FL 33134  
(305) 377-0667 office  
(305) 372-3508 fax  
[tr@kttlaw.com](mailto:tr@kttlaw.com)

Tucker Ronzetti is managing shareholder of the firm, and a member of the firm's litigation department. His practice at the firm focuses on complex commercial litigation, antitrust and class actions, and he manages some of the firm's largest national litigation.

He has particular expertise in filing claims involving financial institutions, accounting firms, and other professionals for participation in Ponzi schemes and similar investor fraud. Recent case recoveries include \$75 million in a class action against American Express Company, \$22.5 million in Miami-Dade County v. Safeco, a breach of bond dispute, and \$4.475 million and \$5 million in cases from the Cyprus Funds Ponzi scheme fraud.

Prior to joining the firm, Tucker was an assistant county attorney for Miami-Dade County, where he litigated and tried a variety of commercial, labor, civil rights, and other cases, and handled numerous appeals. He also served as a law clerk to Judge Edward B. Davis of the Southern District of Florida.

Tucker is also a skilled appellate practitioner who has argued successfully before state and federal appeals courts.

Tucker served as editor-in-chief of the University of Miami *Law Review*. He has also served as an adjunct professor for the University of Miami School of Law since 1992.

### KEY PRACTICE AREAS

- Complex Commercial Litigation
- Class Actions
- Financial Fraud
- Antitrust
- Appellate Practice

### EDUCATION

- B.A. (economics), Duke University
- J.D. *magna cum laude*, University of Miami School of Law
- Member, Iron Arrow Honor Society

### ADMISSIONS

- Florida Bar, 1992
- United States District Courts, Southern and Middle Districts of Florida
- District of Columbia Bar, 2005
- New York Bar, 2006
- United States Court of Appeals, 11th Circuit
- United States Supreme Court

### ASSOCIATIONS AND ACTIVITIES

- American Bar Association
- Business Instructions Committee of the Florida Bar
- Miami-Dade County Bar Association
- American Trial Lawyers Association

### PUBLICATIONS

- Ronzetti, T., "When Bankers Look the Other Way". *Business Law Today*, 14 - 5, May/June (2005).
- Ronzetti, T. and Humphreys, J., "Avoiding Pitfalls in Closing Arguments". *Florida Business Journal*, Dec. 2003.
- Ronzetti, T. and Kraftchick, L., "Dodging the Extra Arrow: Recent Developments in the Law of Retaliation". *Florida Business Journal*, Oct. 2001.
- Ronzetti, T., "Levying the Ultimate Sanctions: Punishment by Dismissal or Default in Florida". *Florida Business Journal*, July 1995.



